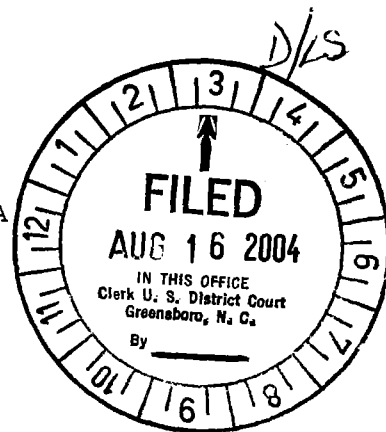


33

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



JOHN S. CLARK COMPANY, INC.,)

Plaintiff,)

v.)

CIVIL NO. 1:04CV00179

TRAVELERS INDEMNITY COMPANY OF)

ILLINOIS; IGNACIO HERRERA,)

individually and d/b/a HERRERA)

MASONRY; MARINA HERRERA,)

individually and d/b/a HERRERA)

MASONRY; and HERRERA MASONRY,)

INC.,)

Defendants.)

O R D E R

BULLOCK, District Judge

For the reasons set forth in the memorandum opinion filed contemporaneously herewith,

IT IS ORDERED that Plaintiff's motion to remand [Doc. #7] is **GRANTED**, and this action is hereby **REMANDED** to the General Court of Justice, Superior Court Division, Guilford County, North Carolina.

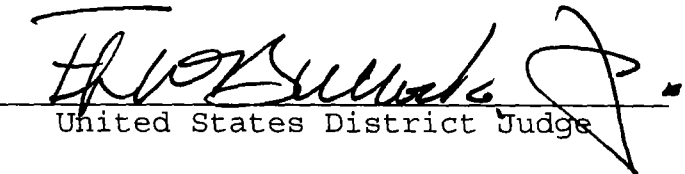
IT IS FURTHER ORDERED that the Herrera Defendants' motion to remand [Doc. #5] is **GRANTED**, and this action is hereby **REMANDED**

to the General Court of Justice, Superior Court Division,
Guilford County, North Carolina.

IT IS FURTHER ORDERED that Plaintiff's request for an award
of costs and attorney fees is **GRANTED**, and the parties shall
proceed as provided in Local Rule 54.2, Middle District North
Carolina.

IT IS FURTHER ORDERED that Travelers' motion to dismiss
[Doc. #9] the Herrera Defendants is **DENIED** as moot.

August 16th, 2004


United States District Judge